

Village of Camillus
Regular Meeting
January 12, 2012

Present: Mayor Patricia J. Butler Attorney: Robert J. Allan
Trustee James Palumbo
Trustee Ann Eckert
Trustee Timothy Stapleton 16 people in attendance

Mayor Butler opened the meeting at 7:00 p.m. by leading the “Pledge of Allegiance”

Mayor Butler requested when it is time for the people in attendance to speak that they state their name and address for the record.

FIRE DEPARTMENT’S REPORT

Chief Doug Groesbeck addressed the Board stating that the department has been blessed with five new members over the last few months.

ISO is coming in to inspect the department the first week of February and hopefully reassess the ISO rating for the Camillus Fire District. If this happens there will be a direct result on the residents homeowner’s insurance. Trustee Stapleton asked what criteria would determine a change. Chief Groesbeck stated that more fire hydrants have been installed which should improve water supply and there is more pump capacity including mutual aid pump capacity. The department may bring an expert to guide them with the preparation of the questionnaire as it is very complicated.

Chief Groesbeck stated he has negotiated new box alarms between Camillus and Elbridge. They will be working closely with Signal 80 which is car accidents with injuries. He has been talking with Chief Malory from Fairmount to create box alarms for the Route 5 By-pass where both departments will be working together from the beginning of the By-pass on the west to Fairmount’s district line. If an accident occurs there will be a heavy rescue from Fairmount and Engine 4 from Camillus which is classified as a rescue with pump capacity. Chief Groesbeck stated Howlett Hill Fire Department has moved Camillus onto structural alarms. Trustee Stapleton asked for the definition of box alarm. Chief Groesbeck stated a box alarm is a mutual aid agreement.

Chief Groesbeck stated the five departments in Camillus are attempting to get grants for a new training tower so as not to increase the taxes. All five departments in Camillus will need to work and train together and Elbridge also wants to train with these departments. He stated that the Camillus Fire Department is more likely to acquire a grant than an independent fire department.

CAMILLUS POLICE DEPARTMENT

Lt. Tim Macholl addressed the Board stating in the month of December the Camillus Police responded to two traffic accidents, numerous traffic stops which resulted in one arrest, two

instances of domestic violence, one criminal mischief and one medical call for a deceased person. Lt. Macholl stated he knows there was some discussion regarding traffic on North Street and the fact that cars have to move for snow removal. The police have always tries to assist the DPW with getting the cars moved on Tuesday. Also, with the new business in the Village the police try to create a happy medium for the people who live in the area and also the business owners.

Lt. Macholl requested that if there is a problem and you see something going on do not hesitate to call the police. It makes their job easier if they come immediately and can see the problem as it occurs. You may call 487-0102 during business hours and after business hours the phone will roll to 911. He encourages you to call 911 all the time.

Trustee Stapleton recalled that if you call 911 you can request which agency you want to come. Lt. Macholl stated that is true unless a serious violation is occurring; then 911 will call the closest agency.

Mayor Butler stated the substation that was housed upstairs has been dismantled due to staffing. The police are still patrolling the village. She met with Chief Winn. That is why the sign is down.

Lt. Macholl stated there will be foot patrols in the Village in good weather.

CODE ENFORCEMENT

Mr. John Williams distributed to the Board his Annual Report of Permits and Violations issued in 2011. The estimated cost of construction work was \$176,400 and \$2,340 in permit fees. There were 22 permits issued for various reasons and 26 violation notices. McNamara's Pub is still operating on a month-to-month Certificate of Occupancy because he has some issues. He stated he finished all the multi-family fire inspections. He attended 8 hours of planning and zoning training, 82 hours of code enforcement training and 10 hours of FEMA and MS4 training. He conducted weekly tours of village building and will advise Chief Groesbeck of unsafe buildings, vacant apartment and vacant homes and advise the Board of unsafe structures. He has responded to 6 called between the hours of 12:00 midnight and 6:00 a.m.

Mr. Williams stated his goals for 2012 are Camillus Cutlery development and the Sunoco Station open and occupied. He would like to clean-up the appearance of the downtown corridor and encourage standardized facades. Mary Popovich is working on the façade of her building right now.

Mr. Williams stated that he spoke with Mr. Blair this morning and according to Green Leaf the closing is suppose to be within the next two weeks. He stated the first thing that will occur is the demolition of a building. Mayor Butler asked when should this demolition would begin. Mr. Williams stated almost immediately.

Mr. Williams stated he contacted three roofing companies who should be here tomorrow to give estimates to repair the roof over the clerk's office.

Attorney Allan asked Mr. Williams if he had to take anyone to court regarding their violations. Mr. Williams stated that since he has been the code enforcement officer he had not taken anyone to court. He does not have time to go to court and he feels that personal education has worked effectively. He has two cars on Maple Drive and one truck on Rolling Hills Road that will be gone next week.

Upon motion of Trustee Eckert, seconded by Trustee Stapleton and unanimously approved the Board approved a procedure for setting a Special Meeting where the Mayor or Clerk will E-mail, text, FAX or phone all Board Members and the Attorney with the date, time and location of a Special Meeting, requesting confirmation that notification was received. Every effort will be made to call a Special Meeting three days in advance and the media will be notified and the notice will be posted in three places. If an emergency arises the three days may be waived.

Attorney Allan stated that there is a proposed law whereby paperwork for a meeting may be sent to people who are interested in coming to the Special Meeting electronically. Mayor Butler stated the Board can revisit this resolution if the proposed law is adopted.

Trustee Stapleton would like to have the Notice for a Special Meeting sent to anyone who would like to receive it by a Distribution List. He requested that if anyone wants to be on this Distribution list they may leave their name and E-mail address with the clerk. Upon motion of Trustee Staple seconded by Trustee Yule the Board authorized the creation of a Public Distribution for people who would like to be notified of by E-mail of events of the Village Government.

Upon motion of Trustee Eckert, seconded by Trustee Yule and unanimously approved the Board authorized advance audit payment of claims for public utility services, postage, freight and express charges. All such claims must be presented at the next regular meeting for audit.

Upon motion of Trustee Stapleton, seconded by Trustee Palumbo and unanimously approved the Board approved 45.5¢ per mile for mileage usage.

Mayor Butler stated that she will address the Procurement Policy at the next meeting.

Mayor Butler stated that she will look into the Disaster Preparedness program.

MAYOR'S ANNOUNCEMENTS

Mayor Butler announced that OCRRA is changing its method of disposal of electronics. Effective January 1, 2012 there shall be no disposal of e-waste in a solid waste management facility except by an individual. The public may dispose of these items at Best Buy, Bruin Computer Trading, CNY Resource Recovery and Metalico. Each site collects items at no charge. By law, OCRRA may no longer accept e-waste from haulers after January 1, 2012. After January 2, 2015 **“No entity may dispose of e-waste as trash in New York State.”** OCRRA strongly encourages the community to recycle their e-waste instead of throwing it out. The Board implied right at this time the people in the Village should take care of their own

disposal of e-waste and the DPW should not collect these items. The DPW will pass out the notice from OCRRA if residents put the e-waste to the curb. If in the future the DPW sees there is a problem the Board may amend the procedure of how to handle the e-waste.

Mayor Butler reminded people in attendance that there are bans on parking on certain streets in the Village from December 1 to April 1 so be aware of the “no parking” rules.

Mayor Butler stated that the Memorial Day Committee needs a liaison from the Village Board. The meetings are on the third Thursday of each month and Mayor Butler is going to attend the meeting. Trustee Eckert volunteered except for the January 19 meeting. After January 19 she will be available.

Mayor Butler stated that Code Enforcer John Williams has requested that she and a trustee tour the Village buildings. This tour will take about one hour and Mr. Williams would like to come up with a plan for the Village property. He will create a plan for the future. He recommended applying for NYSERDA money for insulation. Trustee Stapleton volunteered for this project along with Mayor Butler.

Mayor Butler stated she received a notice that Governor Cuomo has passed a new law requiring local governments to make available to the public prior to or at an open meeting records that will be subject to discussion to the extent practicable as determined by the municipality. It also states the municipality has to maintain a regularly and routinely updated website that utilizes a high speed connection determined by the local government. NYCOM opposes this legislation because it imposes an unfunded mandate and at NYCOM’s insistence the law included that municipalities are not required to spend additional money in order to comply with this law. The law takes effect February 2, 2012. Attorney Allan stated the Village could remove the website completely so the Village does not have to comply with this law.

A discussion was had regarding the Village website. It was stated that the person who built this site lives at 27 North Street and did it for free. This website had not been updated in months. No one knows who hosts this website. Trustee Stapleton stated that there is an organization called Digital Topath that helps build and has low cost hosting company for \$600 per year. Trustee Palumbo stated he would be happy to assist in this process. Attorney Allan stated if you have a website you must post information onto this website.

Mayor Butler requested that the trustee come to the meeting early at around 6:30 p.m. to review and sign the vouchers.

Approval of Vouchers

Mayor Butler asked if the Board had any question regarding the Vouchers as submitted.

Trustee Eckert stated that there was one bill for Wizard Equipment for lettering and the bill states \$54 and there was a handwritten amount of \$36. The clerk will call in the morning to clarify the correct amount.

Trustee Eckert stated there was one voucher for Dunn Tire with a charge for \$21 for an inspection for one of the Chief Cars which was not included in the bill. The Clerk stated that the Board can approve the rest of the bill and she will call the company to see why the \$21 was not included.

Trustee Eckert stated there was a bill from Allied Spring for maintenance alignment that was 20¢ too much.

Upon motion of Trustee Eckert, seconded by Trustee Palumbo and unanimously approved the Board moved to pay Abstract #16 and Abstract #17 as follows:

	<u>Abstract #16</u>
General Fund	\$22,581.99
Sewer Rent Fund	\$ 3.50
	<u>Abstract #17</u>
General Fund	\$63,045.60

A discussion was had regarding approval of the minutes. The Clerk stated she reviewed the minutes and November 3, 2011, November 10, 2011 and December 8, 2011 have not been approved. The Clerk just gave the Board January 1, 2012 so they can not be approved. Apparently May 19, 2011 and August 11, 2011 were also not approved and the prior attorney said they would have to go in the minute book as unapproved because the Board that would have to approve them did not attend the meeting. Attorney Allan stated he felt the current Board could approve these minutes even though they were not in attendance. The Clerk will send the Board the November 3, 2011, November 10, 2011 and December 8, 2011 for their review. She is trying to have Primo Law Office send the two other meeting minutes. Attorney Allan would like to clean this issue up.

Mayor Butler reminded everyone that the village meeting will be held the first and third Mondays of the month. The next meeting will be February 6, 2012 and there will be a Public Hearing at 6:30 p.m. before the regular meeting.

Trustee Stapleton asked if Mr. Tal has a copy of the response from Onondaga County Planning. Mayor Butler stated she will be sure he gets this response from the County.

Mayor Butler stated she had two applications for the Camillus Fire Department one active and one inactive.

Trustee Eckert asked if there is a limit how far from the district line an out of district member can live. Attorney Allan stated that this information should be in their By-laws. Trustee Eckert stated New York State has changed the amount from 10% to 45% limit of how many out of district members you can have in the fire department. Trustee Eckert asked for a list of their members and their addresses. If they go over the 45% limit you would have to go you have to New York State to have these limits changes.

Board accepted the application of Lisa-Ann M. Ross as a member of the Camillus Fire Department.

Upon motion of Trustee Palumbo, seconded by Trustee Eckert and unanimously approved the Board accepted the application of Michele Ruggiero as an inactive member of the Camillus Fire Department.

Mayor Butler asked the Board if they had any questions or concerns. There were none.

NEW BUSINESS

Mr. Richard Robb, planner for the Sunoco gas station at 20 Genesee Street, distributed a letter to the Board. He represents a liaison between the Board and Mr. John Tal and he would like to answer questions and collect the Boards concerns so that a fair and reasonable decision can be made by the Board. The Village has made changes in the Zoning Code in regards to architecture, ambience and historical look of the buildings. In proposing his redevelopment it does not appear that Mr. Tal's consultant have given the new code a lot of attention. There does not appear to be a lot of conformance to the new code. Mr. Robb's first report highlighted several items to meet your code. Mr. Robb, Mr. Tal, Mayor Butler and Trustee Yule had a meeting at the end of the year and there was a lengthy discussion. Mr. Tal indicted that because there was going to be a new Public Hearing he did not want to make revisions to the plans that dated back to sometime in September. Mr. Robb stated the letter that he distributed to the Board today was a draft and had not been sent yet until he gets a release from Mayor Butler. He will then send it to Mr. Tal to help direct him further on what should be changed in anticipation of your February 6, 2012 Public Hearing. There are several environmental issues like noise, lighting and activities going on at hours incompatible to the residents. The plan that is in place does not conform to the new code. In his view there is a gap from what is proposed in the plan and what your code requires and what the Board wants for the commercial corridor. To meet the code and the requirements Mr. Tal will have to spend more money.

Mr. Robb would like to review the County's recommendation, he said they are not binding, they are just recommendations. Also, he would like to review the question regarding the flood zone.

Attorney Allan stated that the December 14, 2011 response from Onondaga County is actually a denial. He stated that this Board can override a response from Onondaga County but they would need a super majority vote.

Trustee Yule stated her issues were the size of the building (density of the building on the lot), the run off water from the car wash, the curb cut on Genesee Street.

Attorney Allan stated that Attorney Oudemool representing one of the neighbors stated that the application did not conform with the Comprehensive Plan. Attorney Allan asked Mr. Robb if he saw a discrepancy with the Comprehensive Plan. Attorney Allan stated that the legislation of the Overlay Map gives the Village Board a lot of flexibility in dealing with what otherwise would be pretty well defined and enforceable zoning regulations. Mr. Robb thought the Comprehensive Plan gave general guidance not only with land use but a game plan for the village but it was not a

code. This local law give the Comprehensive Plan meat in terms of land use and development or redevelopment in terms of what the Village is looking for in the future.

Trustee Palumbo stated the issues stated by the County can be addressed. The water coming from the car wash is one that everyone has talked about, can this issue be resolved? Trustee Yule stated that Mr. Tal does not even know about the waste water from the car wash. She stated the County's concerns have nothing to do with the waste water from the car wash. Trustee Palumbo stated that he is frustrated because of the ongoing process of opening up an existing gas station "yes or no". He agrees that the traffic flow or the size of the building is an issue but they can be addressed. Some action has to be taken on the property, it is an unsightly building.

Attorney Allan stated that this property is not in the flood zone now, but a new flood map may be coming out sometime later this year. Attorney Allan stated that he read Mr. Robb suggested there should not be a car wash at all. There may be too much building for the lot and there should be a loop driveway in the back and there is not enough room. The decibel level of the car wash is a problem. Trustee Yule stated she saw a report and the car wash was not that loud.

Trustee Palumbo stated everyone in this area would like a gas station with a convenience store. He stated that if the car wash was eliminated he assumed the building would be small enough to not be a concern for the County. Trustee Yule stated if there was no car wash that would be a deal breaker.

Attorney Allan stated he will be sure Mr. Tal gets the newest response from Onondaga County Planning and all the paperwork he needs. Mr. Robb will review the County's response and amend his recommendations. Mr. Robb recommended that the Village get its own engineer to review the project.

Trustee Yule stated that the timing was very bad for the applicant, Mr. Tal. Issues were not addressed by the company and not pursued by the Village. The Village did not have a Planning Board nor an engineer. It was an unfortunate situation for the applicant and also the Village. The Village was in discussion for dissolution. Trustee Yule's gut feeling was that the applicant thought that he may be able to get this project through without addressing the issues and he would save money. She stated the Board needs to know how much money Mr. Tal put into an Escrow Account. In the long run you have to have an engineer available.

Attorney Allan stated he is uneasy with no Planning Board. Apparently there was a local law to disband the Planning Board. His understanding is that many of the members on the Planning Board still wanted to be on the Board. Trustee Palumbo stated the there was a very simple reason, there was no active membership on the Planning Board. The Village Board opted to disband the Planning Board to move on this project and if the Board wanted to reinstate the Planning Board it could be done later. Attorney Allan is going to research to see how to reinstate the Planning Board.

Mayor Butler stated that she would like to appoint a committee to deal with this project and she appointed Trustee Yule and Trustee Palumbo from the Board and Susan Hines from Rolling Hill Road from the public and John Williams will be code advisor.

There was a discussion about the Public Hearing. Mr. Williams stated he feels Mr. Tal should do the proposal at this Public Hearing because the Village has not seen anything other than the original sketch. The original sketch showed the demolition of the building and proposed car wash. He has not brought back how the car wash is going to fit on the property, the traffic flow patterns the road cut on Newport Road. Trustee Yule asked Mr. Williams to get a list of his recommendations and send it to the committee.

Attorney Allan stated that Mr. Tal's attorney responded in a letter to Attorney Primo stating they wanted some more information Mr. Robb. This was the letter that implied they wanted to adjourn the December 8, 2011 Public Hearing because they had to do some work with the planner.

Attorney Allan stated that the Village of Camillus needs to have an engineer available for these projects to turn to when needed. He has someone in mind, William Morse.

Mayor Butler asked for comments from the Public. There were none.

Sharon Norcross
Village Clerk/Treasurer